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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 LINDA M. ALEXANDER,
8 MICHAEL G. ALEXANDER, and
9 RAYMOND C. ALEXANDER-
KILLINGER (deceased),

10 Plaintiff,

11 v.

12 ANDREW MILLER,
13 JEROME DEVLIN,
14 CHRIS SKINNER,
15 CERISE PECK,
16 ERIC SCOTT,
LINDSAY BLANCHARD, and
AGNES SHELTON,

Defendants.

NO: 4:18-CV-5057-TOR

ORDER OF DISMISSAL

17 Federal Rule of Civil Procedure 4 provides that a summons and complaint
18 must be served upon each defendant within 90 days of filing. Rule 4(m) also
19 governs the procedure that a district court must follow in the event that service is
20 not completed within 90 days:

1 If a defendant is not served within 90 days after the complaint is filed, the
2 court—on motion or on its own after notice to the plaintiff—must dismiss
3 the action without prejudice against that defendant or order that service be
made within a specified time. But if the plaintiff shows good cause for the
failure, the court must extend the time for service for an appropriate period.

4 Fed. R. Civ. P. 4(m).

5 Plaintiffs filed a Complaint in this case on April 3, 2018. ECF No. 1. No
6 summons was issued, nor was there any further activity in this case. On July 6,
7 2018, the Court issued an Order for Plaintiffs to show cause why this entire case
8 should not be dismissed for failure to properly serve defendants and otherwise
9 prosecute the case. ECF No. 2. Only Plaintiff Linda Alexander submitted a
10 response to the Court's Order to Show Cause. ECF No. 3. Unfortunately, Plaintiff
11 Linda Alexander did not address any of the Court's concerns, namely the failure to
12 serve Defendants with a summons and complaint within 90 days after filing the
13 complaint. Plaintiff Linda Alexander has not given any explanation as to why
14 Defendants have not been properly served, nor has she asked for additional time.
15 Thus, no "good cause" has been shown to extend the time for service.

16 **ACCORDINGLY, IT IS HEREBY ORDERED:**

17 All claims and causes of action in this matter are **DISMISSED** without
18 prejudice.


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1 The District Court Executive is hereby directed to enter this Order and
2 Judgment accordingly, furnish copies to Plaintiffs at their last known addresses,
3 and **CLOSE** the file.

4 DATED July 19, 2018.




THOMAS O. RICE
Chief United States District Judge

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